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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,501	10/16/2000	Shridhar P. Joshi	47079-00077	3225
30223	7590	04/20/2005	EXAMINER	
JENKENS & GILCHRIST, P.C. 225 WEST WASHINGTON SUITE 2600 CHICAGO, IL 60606			RADA, ALEX P	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/688,501	JOSHI, SHRIDHAR P.
	Examiner	Art Unit
	Alex P. Rada	3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 January 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 22-34 and 37-62 is/are pending in the application.
- 4a) Of the above claim(s) 22-34 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 37-62 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

In response to the amendment filed January 21, 2005 in which the applicant withdraws claims 22-34, previously canceled claims 1-21 and 35-36, amends claims 37-38, and claims 37-62 are pending in this office action.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiltshire et al. (US 6,409,602) in view of Paravia et al. (US 6,508,710).
3. Wiltshire et al discloses the following:

Accessing via a remote terminal (client/terminal), a gaming site (310 of figure 3) on a global computer network (column 8, lines 15-34) connected to the remote terminal (client/terminal), selecting a game of chance from a plurality of gaming machine located at a gaming establishment for remote play (figures 4b-9D), the remote terminal being located outside the gaming establishment, placing a wager for playing the selected game and receiving randomly-generated text or graphical outcome data at the remote terminal for the selected game the outcome data being generated by one of the plurality of gaming machines at the gaming

establishment and relayed to the gaming site through a gaming server connected to the gaming site, in which the examiner interprets the server/host containing the different programs and data of the different chance game to be a functional equivalent to placing a wager for playing the selected game and receiving randomly-generated text or graphical outcome data at the remote terminal for the selected game the outcome data being generated by one of the plurality of gaming machines at the gaming establishment and relayed to the gaming site through a gaming server connected to the gaming site (column 7, lines 7-56 and figures 2-3) as recited in claims 37-38.

Wiltshire et al does expressly disclose the following:

Providing via the remote terminal, personal identification information to the gaming site as recited in claims 37-38.

Paravia et al teaches the following:

Providing via the remote terminal, personal identification information to the gaming site (column 6, lines 49-55 and item 142 of figure 2) as recited in claims 37-38. By having providing personal identification information to the gaming site, one of ordinary skill in the art would provide a verification and permission to game players that are permitted to play.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Wiltshire et al to include personal identification information to the gaming site as taught Paravia et al to provide a verification and permission to game players that are permitted to play.

4. Claims 39-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiltshire et al. (US 6,409,602) in view of Walker et al. (US 6,001,016).

5. Wiltshire et al discloses the following:

Establishing a communication link between the remote terminal (client/terminal) and a gaming site (310 of figure 3) on a global computer network (column 8, lines 15-34), the gaming site in communication with a gaming server (server/host), selecting a gaming machine (figures 4B-9D) at the gaming establishment using the remote terminal, making a wager to play the selected gaming machine, receiving outcome data, including game outcome at the remote terminal resulting from a play of the gaming machine (figures 4B-9D), and generating a payout if the game outcome meets predetermined criteria (figure 4B, column 7, lines 7-56, and column 8, lines 15-34) as recited in claim 39.

The game outcome resulting from the server initiating game play on the selected gaming machine (column 8, lines 42-65) as recited in claim 50.

The remote computer having a microprocessor, memory connected to the microprocessor and including instruction s for controlling the microprocessor, and the microprocessor being operative with the instructions in the memory to receive information identifying a plurality of local gaming machine located within the gaming establishment from a gaming server, receive a text or graphical outcome resulting from a local play of each of the selected gaming machines and generate payout if the outcome meets predetermined criteria (figures 4B-9D, column 6, line 44 – column 7, line 6, column 7, lines 7-56, and column 8, lines 15-34) as recited in claim 52.

The gaming server having means for receiving information identifying a plurality of gaming machines (figures 4B-9D) each engaged in play within the gaming establishment, means for receiving a text or graphical outcome resulting from a play of the selected gaming machines and means for generating a payout if the outcome meets predetermined criteria (figures 4B-9D, column 6, line 44 – column 7, line 6, column 7, lines 7-56, and column 8, lines 15-34) as recited in claim 62.

Wiltshire et al does not expressly disclose the following:

The gaming server collecting outcome data from the gaming machines located inside the gaming establishment as recited in claims 39, 52 and 62.

The outcome data having information identifying the value of the payout and simulate a display of the game outcome at the remote location as recited in claims 40 and 59.

The outcome data to simulate a display of the game outcome on the remote terminal as recited in claim 41.

The selected gaming machine is a slot machine wherein the outcome data includes reel position as recited in claims 42, 48, 53, and 60.

The selected gaming machine is a video poker machine including a display for displaying a poker hand as recited in claims 43 and 58.

The receiving outcome data includes receiving outcome data from a plurality of gaming machine form remote play as recited in claim 44.

The outcome data includes a gaming machine identifier and gaming machine type as recited in claim 45-46 and 55-56.

The outcome data including receiving player preferences as recited in claims 47 and 57.

A player identifier and transmitting the player identifier for identification of the player as recited in claims 49 and 61.

Walker et al teaches the following:

The gaming server collecting outcome data from the gaming machines located inside the gaming establishment (figure 1) as recited in claims 39, 52 and 62.

The outcome data having information identifying the value of the payout and simulate a display of the game outcome at the remote location (column 5, lines 33-37) as recited in claims 40 and 59.

The outcome data to simulate a display of the game outcome on the remote terminal (column 5, lines 33-37) as recited in claim 41.

The selected gaming machine is a slot machine wherein the outcome data includes reel position (column 5, lines 33-37) as recited in claims 42, 48, 53-54, and 60.

The selected gaming machine is a video poker machine including a display for displaying a poker hand (column 5, lines 33-37) as recited in claims 43 and 58.

The receiving outcome data includes receiving outcome data from a plurality of gaming machine form remote play (column 6, lines 45-56) as recited in claim 44.

The outcome data includes a gaming machine identifier and gaming machine type (figure 5 and column 6, lines 31-44) as recited in claim 45-46 and 55-56.

The outcome data including receiving player preferences (column 6, lines 8-30) as recited in claims 47 and 57.

A player identifier and transmitting the player identifier for identification of the player (column 6, lines 8-30) as recited in claims 49 and 61.

The outcome results from the manual game play on the selected gaming machine (summary) as recited in claim 51. By transmitting data from the gaming machine located in the gaming establishment, one of ordinary skill in the art would provide a system that does not require human intervention and live video transmission of the game being played.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Wiltshire et al to include the gaming server collecting outcome data from the gamine machines located inside the gaming establishment, the outcome data having information identifying the value of the payout and simulate a display of the game outcome at the remote location, the outcome data to simulate a display of the game outcome on the remote terminal, the selected gaming machine is a slot machine wherein the outcome data includes reel position, the selected gaming machine is a video poker machine including a display for displaying a poker hand, the receiving outcome data includes receiving outcome data from a plurality of gaming machine form remote play, the outcome data includes a gaming machine identifier and gaming

machine type, the outcome data including receiving player preferences, and a player identifier and transmitting the player identifier for identification of the player as taught by Walker et al to provide a system that does not require human intervention and live video transmission of the game being played.

*Response to Arguments*

6. Applicant's arguments with respect to claims 37-62 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 571-272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Jessica Harrison can be reached on 571-272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

APR  
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JESSICA HARRISON  
PRIMARY EXAMINER